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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.25 OF 2007
IN
WRIT PETITION NO.2937 OF 2005

Sanjay Kumar Rai .....Petitioner

Vs.

Union of India & Ors.....Respondents

Mr. Babu Rajan for the Petitioner

Mr.D.N.Salvi with Y.S. Bhate, for the Respondent No.1.

CORAM: F.I. REBELLO & ANOOP V. MOHTA, JJ.
DATE : 11TH DECEMBER, 2007

P.C.:

. Heard learned Counsel for the Review Applicant. Learned Counsel firstly contends that the CC TV footage is not made available to him. Learned Counsel states that it was asked for from the Enquiry Officer. Learned Counsel was asked whether that forms part of the petition and whether it was relied upon. There is no such annexure in the petition. The document is produced for the first time in the Review Petition. Even otherwise it was for the delinquent employee in his defence to to produce the evidence from the Appropriate Authority. In the instant case the CC TV if at all is not maintained by the C.I.S.F., but by the concerned Air Port Authority. The question,

therefore of the Enquiry Officer directing Respondents to make available the copy of the order would not arise. This ground, therefore, would not be available for the review petitioner.

2. The other ground which is contended is that there was no evidence on record to hold the delinquent guilty of the charges which were levelled. No such contention was urged before us at the time when the petition was heard. On the contrary the learned Counsel was asked, but nothing was pointed out.

3. In our opinion nothing has been brought before us showing any error apparent on the face of the record warranting review. Hence Review Petition dismissed.

4. In our opinion the Review was frivolous and consequently Review Petition dismissed with costs quantified at Rs.5,000/-.

(ANOOP V. MOHTA, J.) (F.I.REBELLO,J.)